

APR. 8. 2004 11:32AM

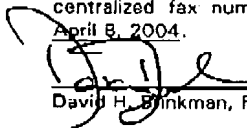
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I hereby certify that this correspondence is being deposited via facsimile to The Honorable Commissioner in the United States Patent and Trademark Office, Attention: Samuel M. Heinrich whose telephone number is (571) 272-1175 and centralized fax number is (703) 872-9306 on April 8, 2004.

  
David H. Brinkman, Reg. No. 40,632

4/8/04  
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kuhl et al.  
Serial No.: 09/806,410  
Filed: September 5, 2001  
Confirmation No.: 8732  
Group Art Unit: 1725  
Examiner: Heinrich, Samuel M.  
Title: DEPTH MEASUREMENT AND DEPTH CONTROL OR  
AUTOMATIC DEPTH CONTROL FOR A HOLLOW TO BE  
PRODUCED BY A LASER PROCESSING DEVICE  
Atty Docket: BEET-03

Cincinnati, Ohio 45202

April 8, 2004

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed on January 8, 2004, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 6 of this paper.

**Remarks/Arguments** begin on page 15 of this paper.

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

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### FACSIMILE COVER SHEET

TECHNICAL ADVISOR  
HENRY M. LABODA, Ph.D.

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Ask for sender's secretary.

**TO: The Honorable Commissioner  
Attention: Samuel M. Heinrich  
Art Unit 1725**

**FROM: David H. Brinkman**

**Fax No.: (703) 872-9306**

**Phone: (513) 241-2324**

**Date: April 8, 2004**

**Fax: (513) 241-6234**

**Pages (including cover page): 22**

**Re: U.S. Serial No. 09/806,410 DEPTH MEASUREMENT AND DEPTH CONTROL OR  
AUTOMATIC DEPTH CONTROL FOR A HOLLOW TO BE PRODUCED BY A LASER  
PROCESSING DEVICE  
Attorney Docket No. BEET-03**

### ATTACHMENTS/COMMENTS: **OFFICIAL**

Please deliver to Samuel M. Heinrich  
Amendment Transmittal (3 pages)  
Amendment (18 pages)

#### CERTIFICATE OF FACSIMILE TRANSMISSION

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April 8, 2004

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David H. Brynkman, Reg. No. 40,532

Date

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Kuhl et al.  
Serial No.: 09/806,410  
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PRODUCED BY A LASER PROCESSING DEVICE**  
Atty Docket: BEET-03

Cincinnati, Ohio 45202

April 8, 2004

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.
2. ☐ Small Entity status is claimed.  
☒ Other than a Small Entity.
3. The fee has been calculated as shown below:

Page 1 of 3

| (Col. 1)                                  |   | (Col. 2)                        |    | (Col. 3) | SMALL ENTITY |     | LARGE ENTITY |     |
|-------------------------------------------|---|---------------------------------|----|----------|--------------|-----|--------------|-----|
| Claims Remaining After Amendment          |   | Highest No. Previously Paid For |    | Extra    | Present Rate | Fee | Present Rate | Fee |
| TOTAL                                     | 9 | MINUS                           | 26 | = 0      | x \$9        | \$0 | x \$18       | \$0 |
| INDEP.                                    | 2 | MINUS                           | 4  | = 0      | x \$43       | \$0 | x \$86       | \$0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |   |                                 |    |          | + \$145      | \$0 | + \$290      | \$0 |
| TOTALS                                    |   |                                 |    |          | TOTAL FEE    | \$0 | TOTAL FEE    | \$0 |

- ☆ If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 ☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 ☆☆☆ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

X No additional fee for claims is required.

4. Attached is a check in the sum of \$\_\_\_\_\_.

\_\_\_\_\_ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

A duplicate copy of this sheet is attached.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

(a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

|     | Extension<br>(months) | Fee for<br>other than<br>small entity | Fee for<br>small entity |
|-----|-----------------------|---------------------------------------|-------------------------|
| ___ | one month             | \$ 110.00                             | \$ 55.00                |
| ___ | two months            | \$ 420.00                             | \$210.00                |
| ___ | three months          | \$ 950.00                             | \$475.00                |
| ___ | four months           | \$1,480.00                            | \$740.00                |

\_\_\_ Attached is a check in the amount of \$\_\_\_ for the three month extension fee as required by 37 C.F.R. § 1.17(c).

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_ An extension for \_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_.

OR

(b) XX Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

XX If any additional fee for claims or extension of time is required, charge Account No. 23-3000. A duplicate of this transmittal is attached.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

  
David H. Brinkman  
Reg. No. 40,532

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